

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 1000-01
Bill No.: Perfected HB 436
Subject: Aircraft & Airports; Economic Development; Transportation; MoDOT
Type: Original
Date: April 25, 2001

FISCAL SUMMARY

ESTIMATED NET EFFECT ON STATE FUNDS			
FUND AFFECTED	FY 2002	FY 2003	FY 2004
General Revenue	(\$66,563)	(\$72,024)	(\$73,828)
Total Estimated Net Effect on <u>All</u> State Funds	(\$66,563)	(\$72,024)	(\$73,828)

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2002	FY 2003	FY 2004
None	\$0	\$0	\$0
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2002	FY 2003	FY 2004
Local Government	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.

This fiscal note contains 5 pages.

FISCAL ANALYSIS

ASSUMPTION

Officials with the **Department of Transportation (MoDOT)** assume the proposal will require the hiring of one Airspace Coordinator (1 FTE at \$48,216 per year) to administer the permit and hearing process created by this bill.

Oversight notes that this legislation specifically requires that the act be enforced with funds not designated for highway use. MoDOT assumptions do not violate this requirement.

This bill requires the Missouri Highways and Transportation Commission to regulate structures that may be erected in proximity to public airports of the state to ensure that they do not interfere with air navigation. The Missouri Highways and Transportation Commission will promulgate rules to implement this bill. Based on experience with other divisions, the **Office of the Secretary of State (SOS)** assumes the rules, regulations and forms issued by the Missouri Highways and Transportation Commission could require as many as 16 pages in the Code of State Regulations. For any given rule, roughly half again as many pages are published in the Missouri Register in the Code because cost statements, fiscal notes and the like are not repeated in Code. These costs are estimated. The estimated cost of a page in the Missouri Register is \$23.00. The estimated cost of a page in the Code of State Regulations is \$27.00. The actual cost could be more or less than the numbers given. The impact of this legislation in future years is unknown and depends upon the frequency and length of rules filed, amended, rescinded or withdrawn.

Oversight assumes the SOS could absorb the costs of printing and distributing regulations related to this proposal. If multiple bills pass which require the printing and distribution of regulations at substantial costs, the SOS could request funding through the appropriation process. Any decisions to raise fees to defray costs would likely be made in subsequent fiscal years.

In response to similar previous legislation, officials with the **Office of Administration—Administrative Hearing Commission, Division of Design & Construction, and Division of General Services** assumes the proposal would have no fiscal impact on their agency.

<u>FISCAL IMPACT - State Government</u>	FY 2002 (10 Mo.)	FY 2003	FY 2004
GENERAL REVENUE FUND			
Costs—MoDOT			
Personal Service	(\$41,185)	(\$50,657)	(\$51,923)
Fringe Benefits	(\$16,643)	(\$20,470)	(\$20,982)
Expense & Equipment	<u>(\$8,735)</u>	<u>(\$897)</u>	<u>(\$923)</u>
ESTIMATED NET EFFECT TO GENERAL REVENUE FUND	<u>(\$66,563)</u>	<u>(\$72,024)</u>	<u>(\$73,828)</u>
 <u>FISCAL IMPACT - Local Government</u>	 FY 2002 (10 Mo.)	 FY 2003	 FY 2004
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

FISCAL IMPACT - Small Business

This bill would have a direct fiscal impact on small businesses erecting, adding to, or replacing a structure near an airport that would require a permit. Small business could experience a long-term benefit from safer or expanded airports.

DESCRIPTION

This bill requires the Highways and Transportation Commission to establish an airspace review and permit process to regulate structures that may be erected within navigable airspace and to ensure that they do not interfere with air navigation. Enforcement of this act may not be performed with funds designated for highway use.

The commission must investigate all permit applications, taking into consideration the safety and welfare of persons and property in the air and on the ground. The commission may approve application for temporary structures if it is evident that the proposed temporary structure will not adversely affect safety or air navigation. Permits may be withheld upon Federal Aviation Administration investigation of any type.

The bill also contains language concerning location requirements, when a permit is required, time required for making application for a permit, permit exceptions, identification requirements

to be noted on permits, notification of denial of a permit, the appeal process upon permit denial, and rule making authority.

DESCRIPTION (continued)

This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Office of the Secretary of State
Department of Transportation
Office of Administration
 Administrative Hearing Commission
 Division of Design & Construction
 Division of General Services



Jeanne Jarrett, CPA
Director

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